

The



Citizen.

Way County Organ
of the
REPUBLICAN PARTYSemi-Weekly Founded
1908
Weekly Founded, 1844

67th YEAR

HONESDALE, WAYNE CO., PA., WEDNESDAY, NOVEMBER 2, 1910.

NO 87

WAYNE COUNTY
COMMON PLEASOCTOBER TERM OF COURT
COMES TO AN END SATURDAY
MORNING—TWELVE CASES
DISPOSED OF—DISTRICT AT-
TORNEY CONGRATULATED ON
GOOD WORK.

Friday Morning.

The first item of business at the opening of the Friday morning session of court was the charge to the jury in the Lake Lodore case. Judge Searle thought that all foreigners coming to this country should be made to realize that this is a "land of liberty but not of lawlessness and license." The charge to the jury was interrupted for a few minutes so that two of the defendants could be brought over from jail.

The case of the Commonwealth vs. Joe Kowach charged with attempt at rape, and with assault and battery was the first one called. District Attorney M. E. Simons appearing for the prosecution and Chester A. Garratt, Esq., appearing for the defendant.

The following jurors were selected to try the case: Aaron Goble, Paupack; Charles Cramer, Paupack; Jeff Hoover, Lake; George Schweisinger, Texas; Fred Rowe, Palmyra; George Bryant, South Canaan; Alva A. Seely, Dyberry; Daniel Acker, Damascus; J. Owen Oliver, Berlin; O. E. Burrus, Salem; Charles Edwards, Dreher; M. W. Fitzpatrick, Mount Pleasant.

Constable Fred W. Short, the prosecutor, was the first witness called for the prosecution, and testified to the events connected with the alleged case. He told of the alleged offense which occurred during the absence of himself and wife from home.

Emma Gibson, of Farview, a bright little thirteen-year-old girl, whose dresses only reached to her knees, was called to the witness stand and described the alleged assault. She testified to living at the home of Constable Short, and to being engaged in washing dishes alone in the kitchen, when Kowach came to the house. She was unable to answer the question, as to what state she lived in.

Mrs. Fred Short was another witness who told of the absence of herself and husband from home on the day of the offense, gathering chestnuts, and of how the little girl came running, frightened, to tell her all about it.

John Myers, another witness, also testified. His English was rather broken, and while he said he was in the parlor adjoining the kitchen at the time Kowach was there, he seemed to be more concerned with finishing his Sunday morning shaving than to paying any attention to what was going on in the next room at the time.

Emma Gibson was recalled and positively identified Joe Kowach as her assailant.

Joe Kowach was called as the first witness for the defense. The services of Paul Olzefski as interpreter were requisitioned.

The jurors in the case of the Lake Lodore riot case filed into the court room at this time. Their verdict, at the suggestion of Judge Searle, was divided into two parts. It was to the effect that "We find Paul Shudis and Samuel Powell guilty of larceny of person, and we find George Adamaitie not guilty." Also "We find all the defendants (Shudis, Powell and Adamaitie) guilty of riot, assault and battery."

Kowach testified to having a wife in the old country, and to being in America about four years. He stated that he couldn't say a word in English. His account of the affair was to the effect that he merely gave the child five cents at Myer's suggestion, and patted her on the shoulder.

An interesting feature of the cross-examination of the district attorney was the revelation by the prisoner of how he had obtained whiskey at a hotel in Waymart on Sunday morning at 8 o'clock. Several questions failed to bring out just where the "freewater" was purchased.

Constable Fred Short was recalled. He told of the trouble he and another man had in bringing Kowach to Honesdale. It seemed Kowach could speak English then for he told them "Mebbe I go Honesdale get hung."

John Jenkins, who worked at Farview on the same job with Kowach, testified to the effect that the defendant could speak English. Jenkins helped Short bring him to jail. He stopped us and wanted to get out. "Ho, Mr. you get rope, hang me to tree," he said. Jenkins and Short told him "we'll take you down to Honesdale to get hung." He understood English well enough to threaten Jenkins "Me Ketch you to Scranton some day."

John Myers being recalled denied telling Kowach to give little Emma Gibson any money.

In addressing the jury both attorneys pointed out that it was an unfortunate case. The judge charged the jury.

Prisoners Sentenced.

The prisoners were brought into court Saturday morning by Sheriff M. Lee Braman. The first one called up for sentence was Joe Kowach.

Judge Searle reminded the prisoner of his delinquencies in the past, telling him how he had five times tried to commit rape near Forest City. "You are a bad man," said the judge, "a very bad man. You know that?" (Kowach at his trial swore

he didn't understand English). The sentence was: "That he pay the costs of prosecution; pay a fine of \$100; and be sent to the Eastern Penitentiary at Philadelphia for not less than fifteen months nor more than five years in separate and solitary confinement at labor."

Henry Thompson was the next one called. Judge Searle offered to suspend sentence until he found out whether the prisoner had worked for 12 years on a farm at Uniondale, as he stated, or not. He told the prisoner that he would give him the extreme penalty if he found his story untrue.

Henry Thompson broke down and admitted "I wasn't on the farm. I have no home. I am not married. If you'll be lenient, it'll learn me a lesson."

Judge Searle said that he would be lenient when persons were arrested, and plead guilty and did not commit perjury; otherwise not.

The sentence he imposed on Thompson then was: "To pay the costs of prosecution; a fine of \$10; restore the stolen property, or its costs; and separate and solitary confinement at hard labor in the Eastern Penitentiary, Philadelphia, for from nine months to three years."

Samuel Powell and Paul Shudis, who had both been convicted of riot, assault and battery, and stealing from person, were next summoned. In the case of Powell, the sentence was: "To pay the costs of prosecution; pay a fine of \$10; to restore stolen property or pay value of it; to be confined for not less than 15 months nor more than 5 years in the Eastern Penitentiary, Philadelphia, solitary confinement, at labor. Shudis was sentenced to pay the costs of prosecution; to pay a \$10 fine; and imprisonment in the Eastern Penitentiary for from 15 months to 5 years."

George Adamaitie, convicted of assault and battery, was sentenced to pay the costs of prosecution; to pay a fine of \$10; and to six months' imprisonment in Wayne county jail.

Judge Searle lectured the three prisoners, saying: "We think you guilty of wilful perjury in saying you were asleep. It pays to tell the truth in this country. The law expects all to be upright and honest, and to tell the truth when they come to court."

Murder Cases Go Over.

In the case, Saturday morning, of Commonwealth versus Leona Lord indicted by the grand jury on two counts: murder and manslaughter, Attorney W. H. Lee made a motion asking that the indictment be quashed. The court appointed the second Monday in November for presenting the arguments.

In the case of Commonwealth vs. Samuel N. Reed indicted on two counts: murder and manslaughter, the defendant appeared in court and pleaded "not guilty." C. A. McCarty, Esq., was appointed to defend the accused, who said that he had no property, no real estate—nothing of any value, and an order was drawn by the court for the payment by the county to Attorney McCarty of a reasonable compensation for his services.

A continuance of the case until January term of court was asked for and granted.

Samuel N. Reed was charged in the indictment that on July 2, 1910, "feloniously, wilfully and of malice aforethought, having made an assault on, and that he did kill and murder Silas E. Lord." When District Attorney M. E. Simons asked the defendant "are you guilty of the felony as charged?" he responded in a firm voice "not guilty."

An entire new jury box is to be made and filled for the case.

High School Scotch Program.

The following Scotch program will be given by the members of the Sophomore class Friday afternoon, Nov. 4: Music, "The Last Minstrel," Elsa Jacob; "Selection from Ivanhoe," John Lozo; "Highland Mary," Frances Prosch; "Young Lochinvar," Walter Crist; "Prelude to the Lay of the Last Minstrel," John Sutton; chorus, Scottish song; "To a Mountain Daisy," Mildred Ward; "Love of Country," Augustus Barberi; "Pillar of Donnellu," George Baumann; "Selection from Kenilworth," Margaret Charlesworth; "Battle of Bawockburn," Margaret O'Brien.

Sheriff Braman Gets Telegram From R. McAfee.

Saturday morning, Sheriff M. Lee Braman received a wire from R. McAfee, Harrisburg, secretary of the Commonwealth, saying:

"Change party name after Harvey Huffman, candidate for Senator from Prohibition to Socialist."

R. McAfee.

"Too Much Money Kills Ram."

Springfield, O., Oct. 28.—"Frank Wones, a farmer, living at New Moorfield, was forced to kill a fine buck sheep today to get \$150 which the sheep had devoured. While passing through the barnyard Mr. Wones dropped his pocketbook out of his pocket. He discovered his loss about an hour later, and returning to look for it found a few fragments on the ground."

"They showed plainly that they had been chewed. The sheep was led to the slaughter, the stomach carefully removed and opened, and the money in a number of pieces found. He brought them to the city and they are being pasted together and will be sent to the Treasury Department to be redeemed."

Mr. Wones was advised by an attorney to kill the sheep if he expected to get any return for the money. He also brought the dead sheep with him and sold it to a butcher for mutton.

BROTHERS AT LAW!
--SAD CASE

CASE OF E. J. VS. L. P. RICHARDSON RESULTS IN VICTORY FOR LATTER—JUDGE ADVISES THEM TO SHAKE HANDS AND MAKE UP—QUARREL STARTED IN 1898.

Friday Afternoon.

The case of the Commonwealth vs. Luke P. Richardson. Perjury. Edward J. Richardson, prosecutor. The following jurors were selected: J. A. Stephens, Starrucca; J. D. Rosenkrantz, Honesdale; George Schweisinger, Texas; Daniel Acker, Damascus; George Bryant, South Canaan; John McDavitt, Damascus; Grant White, Clinton; Alva A. Seely, Dyberry; Jeff Hoover, Lake; Horton Megargle, South Canaan; Will Stephenson, Lebanon; Thomas Salmon, Honesdale. All the rest of the jurors were discharged from further attendance, as this was the last case on the calendar. District Attorney M. E. Simons had P. H. Hoff, Esq., associated with him for the prosecution. C. A. McCarty, Esq., and F. P. Kimble, Esq., appeared for the defendant.

Attorney Hoff in addressing the jury told them that the case was "one of unusual importance, one in (alleged) conflict with what the Bible says. 'Thou shalt not bear false witness against thy neighbor.' Perjury is charged, based on the allegation that the defendant 'swore falsely to a certain transaction which involved property, etc.' That there was a miscarriage of justice in the case where the jury was misled and misled by the testimony. 'We do not seek restitution of property, but we do seek to show that what a man says on the stand is 'the truth, the whole truth and nothing but the truth.'"

A number of files and records were placed in evidence, and E. J. Richardson was called as the first witness.

E. J. Richardson testified to being a brother of Luke P. Richardson. He stated that a settlement of all matters had been made between him and Luke Richardson and his wife September 29, 1898. Objection was made to this and sustained. He admitted having the Aetna Insurance policy at the time of this settlement; that he got it from Luke Richardson; that he loaned the latter \$1100. "I turned the check from the company over to Adam Theobald," said the witness. "Luke owed me \$1100, when the policy matured." He loaned his brother money, and the latter made assignment of policy to him. He also said his brother made another assignment of the policy to his wife. Luke Richardson and his father were in the bottling business at Shanty Hill in 1897. After his father's death, the witness said his business was given over to his brother. Luke was treasurer of Palmyra township and came to him with money and had him draw checks for him.

The case was marked by an unusually large number of exhibits.

Frank M. Monahan, Esq., of Scranton, testified to being an attorney-at-law practicing in Honesdale in 1898 and to acting as attorney for E. J. Richardson, and to a settlement being made between those parties in that year.

Burgess John Kuhbach was unable to give exact information on the witness stand as to whether Edward or Luke Richardson got certain goods. The driver who delivered them was dead and no records are in his possession.

G. W. Ames testified to being a Hawley banker in 1897 and 1898, and to discounting a note for \$600, which he identified.

Further consideration of the case was postponed until Saturday morning.

Saturday Morning.

Court convened Saturday morning at 9 o'clock the case of Commonwealth versus Luke P. Richardson, of Hawley, on the charge of perjury being continued from Friday afternoon.

Edward J. Richardson, the prosecutor, was recalled to the stand. He identified the photographs of the check as well as the endorsements. He said he "executed all agreements between me and Luke." At the hearing of the arbitrators he testified, he made no offset as "there was nothing to be offered, since we made a settlement before."

Adam Theobald, of Texas township, testified that Luke Richardson owed him \$1,000. Edward Richardson paid the judgment to him, he said. Luke and Edward Richardson were present at the time of payment. He thought Edward handed him the check, but Luke was present.

A number of checks were offered in evidence, E. J. Richardson recalled and the Commonwealth rested.

C. A. McCarty, Esq., for the defense, argued that the prosecution had failed to show the materiality of the evidence; failed to show the falsity; failed to make out the case.

M. E. Simons, Esq., district attorney, argued that it was for the court to say whether it was material or not.

The case was then withdrawn from the jury, and they were directed to render a verdict for the defendant, but leave it to the jury as to the fixing of the costs, as it was a misdemeanor case. Attorneys McCarty and M. E. Simons then addressed the jury, and Judge Searle charged them telling them it would be necessary

(Continued on Page Five.)

NONOGENARIAN
LOVES JAIL!

PREFERS LIVING IN HONESDALE JAIL TO STAYING WITH DAUGHTER—PATHETIC CASE OF 89-YEAR-OLD BENJAMIN K. BORTREE—REMANDED TO JAIL FOR THE PRESENT.

A surety of the peace case was heard just about noon, Thursday, the case being that of the Commonwealth versus Benjamin K. Bortree, the charge being the making of threats.

Mrs. Sarah Cobb, of Salem township, testified to being a daughter of B. K. Bortree. She stated that he made threats. On one occasion before he left her house "he threatened," she said, "to give me the worst black eye I ever had." She was afraid of her life on account of his threats.

At the request of Mr. Bortree, who wished to have a lawyer to look after his interests, R. M. Salmon, Esq., was assigned him by the court.

When questioned by Judge Searle Mrs. Cobb said that Mr. Bortree, who is her father, didn't seem to be satisfied. She didn't think her father safe, and said she couldn't trust him. She admitted however that he only made one threat against her.

It didn't take the jury long, in the Joe Kowach case, to reach a verdict. They came into the court room Thursday noon with a verdict against Kowach of "guilty as charged in the indictment."

Mrs. Cobb then resumed giving her evidence. She stated that she furnished a good home for her father, Mr. Bortree. She put him in the attic when company came, and sometimes he slept in the store room, but as this was in the month of September, it was comfortable room for him.

Mrs. Cobb said that her father would be eighty-nine years of age on February 4, 1911, and that he served a term in the penitentiary. When her father became dissatisfied she and some of the rest raised the money to send him out west to see his daughter in Michigan.

Judge Searle said: "The only thing we can do is to put him in jail for a little time, and that is a poor place for him."

Mr. Pelton, of Salem, was the second witness. He told of the threats Bortree made against his daughter, Mrs. Cobb. "I'll kill Mrs. Cobb inside of a week if I have to go back there," said B. K. Bortree to Mr. Pelton. The witness tried to reason with Mr. Bortree but to no avail. It was on September 24th, Mr. Pelton continued, that Bortree threatened to kill his daughter.

On cross-examination he testified that Mrs. Cobb bore a good reputation. Bortree told him "he thought his daughter put him in the (attic) room to catch cold and kill him."

It was brought out that Mr. Bortree has been trying "to put himself on the town" for several years, that he had made a complaint to the overseers who said they were willing to take care of him. The aged man has a daughter in Michigan whom he went out to see last year. In a letter written last spring to friends in the East he said, "I can't keep him any longer." So finally Bortree came East again.

In case he was put on the town somebody would be found to take care of him. It seems the aged defendant also wanted to get into Hillside Home, but was unsuccessful.

Mrs. Cobb said "He's been trying for several years to put himself on the town."

William Altmann also told of hearing Bortree say: "If he had to live with his daughter, Mrs. Cobb, he would kill her inside of a week."

Benjamin K. Bortree, the aged defendant, was then sworn. He is very deaf, and in order to make him hear, Mr. Bortree came down from the bench and shouted his questions into Mr. Bortree's ear.

Mr. Bortree's story was to the effect that he had moved his valise from Mrs. Cobb's, four weeks before making the threats. "She and I couldn't live under that roof for one week," he said; "either she would take my life, or I would take hers." Mr. Bortree said he had "no money, no home, nothing." "I'd rather come to jail than live with her," Bortree continued.

Judge Searle told him: "You go home and live with your daughter and behave yourself."

Bortree said: "I tried my best to get on Salem township. She (Mrs. Cobb) tried to head me off. She made promises. She used me worse than a dog. She placed me in a garret where you could throw a small dog or a cat through the holes in the roof, and the rain came down on me. I asked to be moved, but she wouldn't move me to a good room. She was mad at me because I wouldn't die. I had plenty to eat."

Judge Searle, who experienced great difficulty in making the defendant stop talking, said to him: "You have got to behave yourself. You had no right to threaten your daughter."

The Judge told Bortree "he was a bad-tempered old man, and a hard man to get along with. I'll put you in a separate cell if you won't behave yourself. If you are an old man, we appreciate that fact, but you got to behave yourself."

The Judge told Bortree "we think you are more to blame than she (your daughter) is." Bortree could not be silenced, and answered, "I am

CORONER SEARLES'
SUDDEN DEATH

WAYNE COUNTY CORONER EXPIRES SUDDENLY MONDAY AFTERNOON—THE END CAME UNEXPECTEDLY—SKETCH OF HIS CAREER.

The entire community was shocked to learn of the sudden death of Dr. Harry B. Searles, Coroner of Wayne county, which occurred at his home at 1116 Church street, on Monday afternoon, October 31, at about half past five o'clock.

Dr. Searles had been complaining of not feeling well for some time, and yet he was able to be about, and attend to his many business and professional duties up to within a short time of the final end. He went to bed Saturday complaining of feeling ill, but on Monday went out again, and was about town late in the afternoon, returning home about 4 o'clock. He laid down on the lounge, and expired peacefully, his wife and mother being at his side when the end came. A physician had been summoned, but Dr. Searles was beyond human aid.

Sketch of Dr. Searles' Life.

Dr. Harry B. Searles was born at Thompson, Susquehanna county, this state, on March 19, 1876, and was consequently 34 years, 8 months and 12 days of age. He received his preliminary training in the schools of his native town, and graduated from the Grammar school. He entered Wyoming Seminary at Kings-ton, and was graduated from that institution in 1900. He entered the medical department of Syracuse University, graduating therefrom in 1904. Shortly after his graduation he went to Bristol, R. I., where he served as house surgeon in a sanitarium.

He came to Honesdale on Mar. 1, 1905, and on July 6, he was married to Miss Jessie Oliver, of the Maple City, who with his mother, Mrs. Levisa (Garrison) Searles, survive to mourn his early departure.

Dr. Searles made many friends in Honesdale. Even at the university his popularity was shown when he was elected President of his class. In the fall of 1907 he ran for Coroner on the Republican ticket, and was elected, taking office January 1, 1908, which position he has held ever since.

Deep and general sympathy is felt for his wife and mother in their hour of affliction.

His successor will be appointed by the governor.

The funeral services will be held on Thursday afternoon at 2:30 o'clock from his late residence, the Rev. Will H. Hiller, D. D., pastor of the Methodist Episcopal church, of which he was a member, officiating. Interment will be made at Riverside cemetery.

Heavy Tobacco Deals.

Lancaster, Pa.—The heaviest transactions in Lancaster county leaf tobacco made within the past year have just been closed by two local firms, the sales aggregating 1,300 cases of 1909 goods, and the price being \$72,600.

Of the amount sold L. H. Nolt & Co. sold 700 cases and John D. Skiles 600 cases, the former selling to a Philadelphia firm, Benjamin Labe & Bro., and the other leader's goods going to several Western firms.

CONNIE MACK MARRIED.

Will Tour Foreign Countries With Bride; Dinner For Athletics.

Philadelphia, Oct. 27.—Cornelius McGillicuddy (Connie Mack), manager of the world's champion baseball team, was married last Thursday to Miss Katherine Hallowan in the Roman Catholic church of Our Lady of Holy Souls by Rev. John Moore, the rector. The marriage was quiet, only the witnesses being present.

Following the ceremony Mr. and Mrs. McGillicuddy went to his mother's home, where the family was informed that the ceremony had taken place.

The couple left later in the day for New York, where they will remain until November 3, when they will sail for Genoa on the steamer Cincinnati. They will tour Italy, Switzerland, France, Ireland, and England, and probably will not return to this city until January or early in February.

The victorious Athletics are to be given a dinner by the officials of the Philadelphia American League Club tonight and a big civic demonstration in their honor is to be held Friday night of next week, followed by a great banquet on Saturday night. Asked today if he would attend these functions, Mr. Mack smilingly replied:

"My wife won't let me."

—JACKSON WILL MAKE WAYNE COUNTY A GOOD REPRESENTATIVE.

a man of truth and she isn't."

The defendant mentioned staying with Mrs. Warner. "She used me pretty well as long as I cut wood, but when snow came she didn't."

Judge Searle finally said "Let Mr. Bortree go back and think it over."

It was revealed that Bortree had a life interest in the farm of his daughter, but Mrs. Cobb said "the farm would hardly pay its taxes any more."

C. J. WEAVER
SUMMONED

DEATH OF MINE HOST CHARLES J. WEAVER—GENIAL PROPRIETOR OF THE COMMERCIAL HOTEL SUMMONED EARLY FRIDAY MORNING. CAUSE: TYPHOID FEVER.

Mine Host Charles Jacob Weaver, the genial proprietor of the Commercial Hotel, after making a brave fight against the ravages of typhoid fever for more than two weeks, was forced to succumb and answered the final call Friday morning, October 28, at twenty minutes past six o'clock. For a week or ten days before taking to his bed, Mr. Weaver suffered from what is believed to have been "walking typhoid fever."

Sketch of Mr. Weaver's Life.

Charles Jacob Weaver was born in Honesdale on September 28, 1861. His parents were William and Mary (Dag) Weaver. William Weaver, his father, was one of our best known citizens, being prominently identified with the contracting business for a number of years.

Charles received his early education in the Honesdale public schools. He received a good, practical training, learning as a youth the trade of cigar-maker, and in course of time became the owner of a cigar factory. After selling out to his partner he removed to Narrowsburg, N. Y., going into the hotel business which he followed successfully for eight years. He proved to be a big-hearted and good-natured host, taking excellent care of his guests and furnishing a splendid table. His



CHARLES J. WEAVER.

place became the mecca for the travelling fraternity, and drummers who liked to make Narrowsburg, and spend the night at his hostelry.

Mr. Weaver made friends rapidly, and they showed their appreciation of his worth by electing him to a number of responsible municipal offices, chief among them being city councilman, town clerk, and trustee of the graded school.

He returned to Honesdale in 1884 and opened a restaurant on Main street. He conducted the stand successfully until 1908, when he sold out to William Roadknight. In 1909 he purchased the Coyne property. After renovating the property he changed the name of it to "Commercial Hotel." His place was gaining in popularity, and his future looked very bright and rosy. In 1908 he was a candidate for sheriff, and was defeated by only a few votes. He was foreman of Protection Engine company for one year.

On June 3, 1883, Mr. Weaver was married to Miss Mary A. Uch, who was a native of Narrowsburg, N. Y. Three children were born to bless their union, viz: Millie, Otto and Walter. His wife, three children, two brothers, John H., proprietor of the Hotel Wayne, Honesdale, and George W., of Richmond, Virginia, three sisters, Mrs. John Market, of Brooklyn, N. Y., Mrs. Fred Schilling, of Brooklyn, N. Y., and Miss Barbara Weaver, of West Chester, N. Y., survive to mourn his early departure.

The funeral services were held from his late home, Monday afternoon at 2 o'clock. Rev. Dr. W. H. Swift officiating, and interment was made at Glen Dyberry cemetery. Undertaker J. Sam Brown had charge of the funeral.

The pall-bearers were Mayor John Kuhbach, Prothonotary M. J. Hanlan, Herman Harms, Esq., Hawley, Fred Saunders, Edward Deltzer, Frank Schuller. The members of the Protection Engine company No. 3 attended the services in a body. Seventy-five members of the Eagles, and a large representation of the B. P. O. E. were present to pay their final testimony of respect.

HOUSE NO. 13, IS

HARD TO DISPOSE OF.

New York, Oct. 28.—Alderman Folks offered in the Board of Aldermen a resolution changing the number 13 East Seventy-fifth street to 11A. The matter was referred to the Committee on Streets and Highways.

The alderman said afterward that the present owner of the house, Mrs. Martha A. Kohn, explained the matter thus: She said she wanted to sell the house and a real estate agent told her that No. 13 was harder to sell than other numbers.